



Legislative Research Council

SOUTH DAKOTA CODE COMMISSION MINUTES

One hundred thirteenth Meeting
Wednesday, January 15, 2014
2:30 p.m.

Room 499
Fourth Floor, State Capitol Bldg.
Pierre, SD

The one hundred thirteenth meeting of the South Dakota Code Commission was called to order by Chair Michael DeMersseman at 2:30 p.m., January 15, 2014, in Room 499 of the State Capitol Building, Pierre, South Dakota.

A quorum was determined with the following members answering the roll call: Commissioners Michael DeMersseman (Chair), Margaret Gillespie (Vice Chair), Shantel Krebs, and Tom Lee. Commissioner Brian Gosch joined the meeting following the roll call.

Staff members present were Doug Decker, Code Counsel, and Kris Schneider, Senior Legislative Secretary.

All material distributed at the meeting is attached to the original minutes on file in the Legislative Research Council (LRC). For the purpose of continuity, these minutes are not necessarily in chronological order.

Approval of Minutes

Commissioner Krebs moved, seconded by Commissioner Gillespie, to approve the minutes of the June 19, 2013, meeting. Motion prevailed on a voice vote.

Review Proposed Legislation

Mr. Doug Decker, Code Counsel, presented the background on the necessity to codify the previous year's legislation and reviewed the proposed legislation entitled "*An Act to codify legislation enacted in 2013.*" (**Document 1**). *Commissioner Gillespie moved, seconded by Commissioner Krebs, that "An Act to codify legislation enacted in 2013" be approved. Motion prevailed on a voice vote.*

Mr. Decker reviewed the background of the proposed legislation that would amend SDCL § 2-16-7.1 – "*An Act to allow the contract for the publication of the codified laws to be extended for more than one year.*" (**Document 2**). Following a brief discussion it was suggested that line 7 be amended as follows: after "Business" insert "or successor". The commission also discussed changing the timeframe from one to five years. *Commissioner Gosch moved, seconded by Commissioner Krebs, to amend line 12 by overstriking "~~from year to year~~", deleting "one to five years" and inserting "for a term not exceeding two years". Motion prevailed on a voice vote.* Chair DeMersseman asked staff to make the appropriate changes and email a copy of the bill draft to the commission.

Public Comment

There were no public comments.

Availability of Printed Code Books

Chair DeMersseman inquired as to why the printed Code books are no longer in the President's and Speaker's lobbies behind the chambers. Mr. Decker explained the books had been removed because the printed volumes would "disappear." It was noted that the printed Code is available in the committee rooms and is also available electronically at the kiosks. Following a brief discussion, the commissioners asked that the Legislative Research Council provide printed Code behind the chambers as long as the cost was not prohibitive.

Commission Note

Mr. Decker commented on a commission note that will be made under SDCL § 16-22-3 regarding the Supreme Court's New Rule 13-13 Defining the Key Components for Drug Courts (**Document 3**).

Adjournment

There being no other business, *Commissioner Lee moved, seconded by Commissioner Gillespie, to adjourn. Motion prevailed on a voice vote.*

The chair adjourned the meeting at 3:06 p.m.

